REMARKS

In a non-final action dated January 4, 2001, the Examiner rejected claims 1-24 under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent 5,995,503 (Crawley et al.) in view of U.S. Patent 5,968,176 (Nessett et al.).

Applicant's claim 1, as amended, calls for "... a server system having a location that is independent of the <u>communication</u> path, comprising: a server adapted to receive a session request..., send a message to the originating router..., and monitor the routers in the communication path..."

The Examiner admits that Crawley et al. does not disclose a server having a location that is independent of the path. The Examiner construes Nessett's access server as the server of Applicant's claim 1. However, Nessett et al. discloses two access servers, i.e. access server 106 and access server 121, neither of which is independent of the path, nor functions to receive a session request, send a message, and monitor the routers, as claimed in claim 1. More specifically, Nessett et al., at col. 14, lines 62-67, and at col. 15, lines 1-5, discloses that access servers have two major applications. The first (application) is to provide remote access to private intranets. The second (application) is to give subscribers access to the ISP content equipment as well as the ISP's Internet equipment. Further, access servers are natural points to place firewall functionality (col. 15, line 66-67 and col. 16, line 1-2). Thus, an access server is part of the communication path and is used to filter packets. There is nothing in Nessett that teaches or suggests a server as disclosed in the amended claim 1. Accordingly, claim1 is patentably distinct from Nessett.

Crawley, as admitted by the Examiner, likewise does not teach or suggest a server having a location independent of the communication path. Applicant's claim 1 is thus patentably distinct from Crawley and Nessett.

Accordingly, applicant's claims 6, 11, 17, 18, 19 and 24, being the method, system, and computer program claims of claim 1, are allowable for at least the same reasons discussed in conjunction with claim 1.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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Version with markings to show changes made

In the claims:

Claims 1, 6, 11, 17, 18, 19 and 24 have been amended.

1.   (Twice Amended) A server system for establishing a communication path connecting an originating router to a destination router via other routers along the path, the server system having a location that is independent of the <u>communication</u> path, comprising:

a server adapted to

receive a session request for establishing the communication path for transmitting information from the originating router to the destination router;

send a message to the originating router in response to the session request, the message including a request to reserve resources for transmitting the information; and

monitor the routers in the communication path to determine whether sufficient resources exist to establish the communication path in accordance with the session request.

6.   (Twice Amended) A method for establishing a communication path connecting an originating router to a destination router via other routers along the <u>communication</u> path, comprising:

receiving a session request at a server for establishing a communication path for transmitting information to the destination router, the server having a location that is independent of the <u>communication</u> path;

sending a message to the originating router in the communication path in response to the session request, the message including a request to reserve resources for transmitting the information; and

monitoring the routers in the communication path to determine whether sufficient resources exist to establish the communication path in accordance with the session request.

11.   (Twice Amended) A network communication system for establishing a transmission path, comprising:

an originating router coupled to a host in a first local area network;

a destination router coupled to another host in a second local area network; and

a server having a location that is independent of the <u>transmission</u> path, coupled to the originating router, for receiving a session setup request from the host, said server including:

a session setup module for sending a message to the originating router in response to the session setup request, the message including a request to reserve resources for transmitting traffic along the transmission path from the originating router via other routers to the destination router; and

a node server module for monitoring the routers along the transmission path to determine whether sufficient resources exist to establish the transmission path in accordance with the session setup request.

17. (Twice Amended) A method for establishing a communication path connecting an originating router to a destination router via other routers along the <u>communication</u> path, comprising of:

receiving a session request at a server for establishing a communication path for transmitting information to the destination router, the server having a location that is independent of the <u>communication</u> path;

sending a resource reservation request to a router in the communication path to reserve resources in accordance with the session request; and

monitoring the routers in the communication path to determine whether resources exist to establish the communication path.

18. (Twice Amended) A computer program residing on a computer readable medium comprising instructions for causing a computer to:

receive a session request at a server for establishing a communication path from an originating router for transmitting information via other routers to a destination router, the server having a location that is independent of the <u>communication</u> path;

send a resource reservation request from the server to the originating router to reserve resources in accordance with the session request; and

monitor the routers in the communication path at the server to determine whether resources exist to establish the communication path.

19. (Amended) A central <u>server</u> [sever] system comprising a QoS server connected to a series of routers, the server managing QoS matters for a session established along a communication path from an originating router via other routers to a destination router, the central server system having a location that is independent of the <u>communication</u> path.

24. (Amended) A server system for establishing a communication path connecting an originating router to a destination router via other routers along the <u>communication</u> path, the server system having a location that is independent of the <u>communication</u> path, comprising:

a server adapted to

means for receiving a session request for establishing the communication path for transmitting information from the originating router to the destination router;

means for sending a message to the originating router in response to the session request, the message including a request to reserve resources for transmitting the information; and

means for monitoring the routers in the communication path to determine whether sufficient resources exist to establish the communication path in accordance with the session request.